7.6.2006 Present: Mr Rajiv Kataria and Mr.S D Gill, Advocates, for the plaintiffs.

Mr Shamsher Singh, Mr Anurag Goswami and Ms Uma Manta, Advocates for defendants No.3 and 4.

Mr Rakesh Manta, Advocate, for defendant No.5.

OMPs No.283 and 382 of 2005

These two applications have been filed by the petitioners. Vide order dated 2.6.2005, this court had permitted the petitioners by way of an interim arrangement to run and manage the school in question and to operate the bank account opened in pursuance of the order of this Court passed in Civil Suit No.2 of 2005. The petitioners were further directed to deposit the money received by them in the bank account and to make every payment by non-negotiable cheque(s). The petitioners were further directed to submit the statement of account every month by 10th of the following month in this court. This order was passed on 2nd June, 2005. Therefore, the first statement of account should have been filed in this Court on 10th July, 2005. In fact by means of OMP No.283 of 2005, the statement

of account with effect from 20.12.2004 to 31.5.2005 has been filed. This was not the direction of this Court. The direction of this Court was with regard to the statement of account after 2nd June, 2005. No statement of account was filed. Thus both these applications call for no orders, since the same relates to prior to passing of this order. The applications are accordingly disposed of.

OMP No. 326 of 2005

By means of this application the statement of accounts from 20.12.2004 to 30.6.2005 has been filed. This application has been filed on 18th July, 2005, whereas it should have been filed on 10th July, 2005. No details have been given with regard to the amount received or deposited in the bank nor any details of the cheques are given. The statement of the accounts filed is not proper nor in consonance with the directions of this Court dated 2nd June, 2005. Therefore, the application is rejected. Proper statement of accounts be filed on or before 19th June, 2006.

List the matter on 19th June, 2006.

OMPs No.402/05 & 469 /05

Not pressed at this stage. The applications are disposed of accordingly.

OMPs No.244,245,383 & 474/05

Arguments heard.

Order reserved.

June 7, 2006 (Deepak Gupta), J.
(D)

FAO No.2 of 2003

7.6.2006 Present: Mr Anuj Nag, Advocate, for the appellant.

Mr Ajay Sharma, Advocate, for The respondent.

CMP No.167 of 2006

Reply filed. According to the appellant, he has paid Rs.20,600/- vide cheques/ bank drafts as detailed in the reply. He also submits that he has deposited Rs.4,000/- in cash in the account of the respondent Smt.Gurmeet Kaur, bearing Saving Bank Account No.19083 at Punjab National Bank, *Gaggal,* on 27.4.2006 and another sum of Rs.7,000/- in cash in the same account on 23.5.2006. He has paid Rs.27,600/- in all. Thus, according to him, a sum of Rs.3,700/- still remains to be paid to the respondent.

Mr Nag, learned counsel submits that he will prepare a Bank Draft of Rs.3,700/- in favour of the respondent, payable at Punjab National Bank, Gaggal, and hand over the same to Mr Ajay Sharma, Advocate within two days from today.

Mr Ajay Sharma, learned counsel submits that he wants to verify the fact whether an amount of Rs.11,000/- has been deposited in the account of the respondent. The application is disposed of with liberty reserved to the wife-respondent to move an application in case statement of the appellant-husband is found to be in correct in any manner.

June 7, 2006 (Deepak Gupta),J.
(D)

RSA No. 7 of 2004

7.6.2006 Present: Ms Anita Dogra, Advocate,
vice Mr Ramakant Sharma,
Advocate, for the petitioners.

Mr Rajinder Singh, Advocate,
Vice Ms Jyotsna Rewal Dua,
Advocate, for respondent No.1.

At the request of learned counsel appearing vice counsel for respondent No.1, list this matter after the ensuing summer vacation.

June 7, 2006 (Deepak Gupta),J.
(D)

IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA

RFA No. 195 of 2006

Date of decision: 7.6.2006

State of H P & another — Appellant

Versus

Amar Singh & others — Respondents

Coram:

The Hon'ble Mr.Justice Deepak Gupta, J.

Whether approved for reporting ?[1]

For the appellants: **Mr M S Chandel, Advocate General, Assisted by Mr A Burathoki, Addl. Advocate General.**

For the Respondent:

Deepak Gupta, J. *(Oral)*

Keeping in view the petty amount involved in the appeal the same is dismissed. However, the decision of this case shall not be treated as a precedent either in any other proceeding arising out of the impugned award in this case or in any other matter.

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[1] ***Whether the reporters of Local Papers may be allowed to see the judgment ?***

The court fee shall be refunded to the appellants as per the rules.

CMP No.273/06

No order in view of the dismissal of the main appeal. The application is disposed of.

June 7, 2006 (Deepak Gupta),J.
(D)

7.6.2006 Present: Mr Ramakant Sharma, Advocate,
for the appellant-claimant.

FAO No.163 of 2006

Heard.

Admit. Notice after admission be sent to the respondents by registered post as well as through the ordinary process of the court. Steps for the service to be taken within one week.

June 7, 2006 (Deepak Gupta),J.
(D)

7.6.2006 Present: Mr M S Chandel, Advocate General, assisted by Mr A Burathoki, Addl. Advocate General.

RFAs.No.193,194,196,197,198, 199,200,201,202,203,204,205, 206,207,208,209,210,211,212 and 213 of 2006

Heard. **Admit.**

Notice be sent to the respondents(s) by ordinary process only at the first instance.

CMPs. No.**271,272,274,275,276, 277,278,279,280,287,288,289, 298,299,300,301, 302,303,304 and 305 In RFAs. No. 193, 194,196,197,198,199,200,201, 202,203,204,205,206,207,208, 209,210,211,212 and 213 of 2006 respectively.**

Notice in the aforesaid terms. In the meantime, the operation and execution of the impugned award dated 8th December, 2005 passed by the learned District Judge, Solan, in *Land Reference No.45-S/4 of 2005* titled as *Ram Krishan vs State of H P and another* and other connected matters, is stayed subject to

appellants' depositing the enhanced amount of compensation in the Registry of this Court within eight weeks from today. It is made clear that the applicants-appellants shall deposit the amount in each appeal separately.

Copy Dasti on usual charges.

June 7, 2006 (Deepak Gupta),J.
(D)